

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: SYLVIA HAIR, : **CHAPTER 13**
:
DEBTOR : **CASE NO. 21-11723-elf**

DEBTOR’S MOTION TO DETERMINE VALUE

Debtor Sylvia Hair, through her attorney Michelle Lee of Margolis Edelstein, files the foregoing Motion to Determine Value, and avers as follows:

1. Debtor Sylvia Hair resides at 7109 Phoebe Place Philadelphia, PA 19153 (“Subject Property”).
2. Debtor files this motion under Rule 3012 and 11 USC 506(a) to determine the value of the Subject Property and determine the allowed secured claim of Hilltop IV Condominium (“Hilltop”).
3. LSF8 Master Participation Trust through Fay Servicing LLC holds a lien against the Subject Property. Lender filed a Proof of Claim for \$181,702.21. A copy of the Claims Register is attached as Exhibit “A”.
4. Hilltop filed a Proof of Claim for \$48,036. See Exhibit “A”.
5. Rule 3012 implements section 11 USC 506(a) and provides that the court may “determine the value of a claim secured by a lien on property in which the estate has an interest on motion of any party in interest.” FRBP 3012.
6. Debtor seeks a determination that the value of the property is \$126,000 based on the condition of the property and neighborhood. A copy of a current market analysis is attached hereto as Exhibit “B”.
7. An Adversary will be filed following this Motion.

For the foregoing reasons, Debtor respectfully requests that this Court enter the attached order.

Respectfully Submitted,

/s/ Michelle Lee

Michelle Lee, Esquire

Margolis Edelstein

170 S Independence Mall W Ste 400E,

Philadelphia, PA 19106

Dated: 12/6/2021